Nancie Miller
71 East High Street
Union City, PA 16438
Jan. 5, 1998

Governor Thomas Ridge
Governor's Mansion
Front Street
Harrisburg, PA 17120

The Honorable Thomas Ridge, Governor;

I am writing to you in a desperate hope you may be able to help my husband, Martin Miller. Marty worked at S.C.I. Cambridge Springs for two years as a Plumbing Trades Instructor. On March 25th 1996 he was suspended for " inappropriate actions" they would not be more specific until months later. He was terminated in May of 1996 and in July of that year was arrested and charged with : official oppression, indecent exposure, sexual assault and other ludicrous charges. Eventually Marty had his trial, was found guilty and is about to begin serving his sentence. This is entirely unfair since Marty is innocent of all these charges.

I am hoping you will be able to help us. First, let me tell you about Marty. We have been married for 25 years and he has never been unfaithful or given me any reason to believe he ever did anything wrong. Marty was a Cub Scout Master for 3 years, Weblo Leader for 2 years, Explorer Leader for 4 years in Corry. Marty was secretary / treasurer for his bowling league for 7 years, is a volunteer fireman and served as treasurer for the department. Marty is a good, considerate, Christian man and would never commit such horrible crimes. Marty respects women and respected his job at S.C.I. Cambridge Springs. Marty is the father of three children, a son, Lee, in Corry, a daughter, Valerie, a senior at Penn State Behrend, and a daughter, Trisha, at home. Marty also has a three year old grandson who is the apple of his eye. So what does this prove ? Nothing except to let you know Marty is a good person.

There are many inconsistencies in the facts of Marty's case. Attached please find the SWORN statements of Robin Phillips, alleged victim, Wayne Young, Plumbing Trades Instructor 3, and Mike Miller, Facility Maintenance Manager 1. Please note the highlighted sentences. According to these reports so sworn Wayne Young reported the incident to Mike Miller an hour to an hour and a half before Phillips reported that it happened. Other points to ponder:

*Day of Marty's suspension– he was called into Wolfe's office at the end of the work day while he was waiting to punch out, without Union representation. Reason for suspension was "inappropriate actions" they couldn't be more specific when asked.

* One employee who testified against Marty received a major promotion just before the trial began.

* Intelligence Captain couldn't remember at trial if he wrote the report up the way it was told (which did not incriminate Marty) or perhaps he wrote the report exactly the opposite of

what was said (which did incriminate Marty). He said he was in a hurry taking his notes and didn't know how accurate they were.

Governor Ridge, I would like to meet with you or you representative to discuss this case. I feel Marty was set up by the prison to put a feather in Wolfe's cap. He made several statements saying he had zero tolerance for inmate abuse and by feeding Marty to the wolves he looked liked he really did. Wolfe now looked good in the public's eye and Marty and a couple other victims just have to spend a little time in jail. So what if an innocent man's life and reputation are ruined, the system looks good.

I have more papers showing discrepancies in testimonies and many incidences reportedly going on at the prison, but would prefer to show you and speak to you or your representative in person. Since I am sending a courtesy copy to Commissioner Horne, and have little faith in the prison's truthfulness I prefer not to give away anymore information than I already have. You see, I know full well how the State Correctional Institutional System at Cambridge Springs can enhance (and I have been told even alter) reports to suit their needs.

I can be reached at work at 716-355-4444 days, and at 814-438-2363-evenings at home. I hope we can meet soon to discuss this. My prayer is that you will be convinced of Marty's innocence and grant him a pardon. My hope is that you will begin an investigation into S.C.I. Cambridge Springs, before the lives of another innocent man and his entire family are ruined.

cc
Commissioner Horne
Tom Scrimenti
Robert Robbins
Teresa Brown

Sincerely,

Nancie Miller

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P. O. BOX 598
CAMP HILL, PENNSYLVANIA 17001-0598
(717) 975-4860

OFFICE OF
COMMISSIONER OF CORRECTIONS

January 30, 1998

Mrs. Nancie Miller
71 East High Street
Union City, PA 16438

Re: Martin Miller

Dear Mrs. Miller:

Your letter to the Honorable Governor Ridge with a copy to Corrections Secretary Horn has been directed to me for a response.

Please know that I have no intention of responding to the charges for which your husband was convicted of in a court of law. Any issues you have relative to the merits of the testimony, the inconsistencies in the facts presented and/or inappropriate actions by the staff at SCI-Cambridge Springs should be addressed through your legal counsel. On the other hand, I must say that Superintendent Wolfe's statement regarding "zero tolerance for inmate abuse" is clearly endorsed and echoed throughout the Department and has been publicly stated several times by Secretary Horn. Quite frankly, we wouldn't have it any other way.

Finally, a procedure is in place to examine all inmates requesting a pardon from the Governor. The Pardon Board is charged with making a recommendation to the Governor on matters of clemency. Should your husband wish to pursue this option he should consult with his Unit Management Team.

Sincerely,

Thomas L. James
Special Assistant
to the Secretary

(52)

TLJ/sb

cc: √Governor's Executive Secretariat #98000699
√Superintendent Wolfe
Director Tepsic

RECEIVED
FEB 6 1998
SUPT. OFFICE
SCI-CB

Location: SCI CAMBRIA SPRINGS Date: 7/16/96 Time: 10:30 Case #: 96-F-

Last Name, First Name, Middle Initial: DONAHUE, LAUREL Date of Birth: 6/8/54 Social Security #: 47066415

Address:

I, LAUREL DONAHUE, hereby state that MICHAEL WOLANIN, has ide himself / herself to me as a Special Investigator / Police Officer for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under of perjury, 18 Pa.C.S.§ 4904. I have not been subjected to any coercion, unlawful influence or unl inducement. I have not been promised any favors or been given any compensation.

ON SEPT. 15. 1994 at 0900 HOURS, I WAS WORKING THE 0600-1400 SHIFT. I WAS CONDUCTING A ROUTINE SECURITY CHECK OF THE LUTER BUILDING, WHERE THE ~~3RD~~ 4TH FLOORS WAS NOT OCCUPIED BY INMATES DUE TO RENOVATIONS. WAS EN ROUTE TO THE 4TH FLOOR, UTILIZING THE MAIN STAIRWELL. AS I I REACHED THE STAIRWELL LANDING BETWEEN 3RD & 4TH FLOORS, I SAW MARTY MILLER PLUMBING #2 CREW SUPERVISOR, SEATED IN A CHAIR, A A TABLE IN FRONT OF HIM. THEN STAIRWELL'S DOOR TO 4TH FLOOR WAS PROPPED OPEN, WHICH ALLOWED ME TO SEE INTO THE "A-DAYROOM." MR. MILLER WAS FACING NORTH, AND BEHIND HIM + STANDING + BENT FOR WAS INMATE J. WHITE OC3674. SHE WAS BENT AT THE WAIST, HAV HER LEFT BREAST PRESSED INTO HIS BACK, WITH HER LEFT FOREAR FROM THE ELBOW FORWARD, DRAPED ACROSS HIS LEFT SHOULDER. MOUTH WAS QUITE CLOSE TO THE LEFT EAR/NECK AREA OF MR MI I HAD PAUSED ON THE 3RD/4TH FLOOR LANDING TO FULLY VIEW AL SAW. THEIR POSITIONS WERE DIRECTLY IN FULL VIEW OF THE OPENED DOOR. AS INMATE WHITE OC3674 SPOTTED ME, SHE IMMEDIATE STEPPED BACKWARDS + STRAIGHTENED UPRIGHT. MR. MILLER REMAINED SEATED + LOOKED AT ME AS I CAME UP THE STEPS + ENTERED T DAYROOM. I THEN TURNED TO MY LEFT + STARTED DOWN THE B-NORTH HALLWAY + I STOPPED AT ONE OF THE ROOMS TO SPEA TO MR. YOUNG, ALSO OF MAINTENANCE. HE + A COUPLE OF INMATE WERE IN THE ROOM WORKING ON A WINDOW. AS I STOOD IN THE

I further state that I have read and understand this entire statement or it has been read and explained t I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

[signature]

[signature]

[signature]
(Signature of person making statement)

EXHIBIT 82

A 456

Location: SCI Cambridge Springs | Date: 7/16/96 | Time: 22:30 | Case #:

Last Name, First Name, Middle Initial: CERNE, Jacqueline | Date of Birth: 4/23/67 | Social Security #: 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

Address:

I, Jacqueline Cerne, hereby state that Michael W. [illegible], has identif himself / herself to me as a Special Investigator / Police Officer for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under pena of perjury, 18 Pa.C.S.§ 4904. I have not been subjected to any coercion, unlawful influence or unlawf inducement. I have not been promised any favors or been given any compensation.

On Thursday, November 9th, 1995 while working the 6-2 shift with Ofc Mielnik in the Sallyport, approximately at 10:30 Am a truck entered the Sallyport for delivery. Ofc Mielnik called for Marty Miller, (the maintenance Supervisor) to report to the Sallyport to escort the visitor. While Ofc Mielnik and this Ofc were processing the visitor in, Marty Miller was also present and was standing directly beside me. When this Ofc began asking the institutional visitor the contraband questions, Marty Miller rubbed against my side and put his hand on my back and began rubbing my back. Due to the fact that I was between Marty Miller and the wall of the Sallyport, I could not move to get away from him. This was a small enclosed area, his actions were intentional and made this Ofc feel uncomfortable. Although this Ofc was extremely embarrassed, I maintained professionalism and finished processing the visitor without commenting to Marty Miller at this time.

On February 1st, 1996 while working the 2-10 shift this Officer was assigned the Luter-3 housing unit with Officer Vannucci. After exchanging equipment and [illegible] from the 6-2 shift, at approximately 2:[illegible] Marty Miller approached this Officer at the Officers Station in A-Day[illegible] Marty Miller and his crew were on Luter-3 working in the hallway.

I further state that I have read and understand this entire statement or it has been read and explained to I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

[signature]

[signature] Capt

Jacqueline C. Cerne

(Signature of person making statement)

2

A 457

STATEMENT

continued

Marty Miller stepped within arms reach of this officer, reached over and grabbed onto my radio strap which I always wear on the back of my duty belt. I did not have a radio in my radio strap and Marty Miller put his entire hand down through the strap, and began yanking up on my radio strap. During this action, he was also rubbing my butt with his fingers. These unwanted, inappropriate intentional actions continued for 1 to 2 minutes, until this officer physically grabbed Marty Miller's arm pulled it off and away from me. I commented to him "Mr. Miller's Please!" I took the radio from the other officer (CO Vannucci) and went to do a round and Mr. Miller followed me down into the B-dayroom, and appearing extremely nervous, tried to explain his actions to me saying "I did not mean to offend you." I stated, "Mr. Miller it doesn't matter whether you intend to offend me or not, you have no business putting your hands on me."

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

(Signature of person making statement)

Location: SCI Cambridge	Date: 7-26-96	Time: 1:30	Case #: 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
Last Name, First Name, Middle Initial: Anthony, Diane	Date of Birth: 6-4-055		Social Security #:

Address:

I, Diane Anthony, hereby state that Michael Wolfgang, has identifie himself / herself to me as a Special Investigator / Police Officer for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under penal of perjury, 18 Pa.C.S.§ 4904. I have not been subjected to any coercion, unlawful influence or unlawful inducement. I have not been promised any favors or been given any compensation.

Beginning around Dec, 1994, on many occasions, while speaking with Marty Mikle, he would physically touch me. This would involve him running his hands up and down my arms and back. Also involved laying his hands on my shoulders. This was done in the hallways, offices or where-ever conversations were occurring. This was done in front of inmates and staff.

This was an on-going and constant problem until Oct./Nov., 1995, when I spoke to him and told him I did not want him doing this, that it made me very uncomfortable and disrespected.

After I spoke to him, he told me it was no problem and thanked me for coming to him and speaking with him.

I feel Marty knew what he was doing and that his action were intentional.

I further state that I have read and understand this entire statement or it has been read and explained to : I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

Michael Wolfgang

[signature]

Diane Anthony
(Signature of person making statement)

4 A 459

Location: SCI Cambridge Springs	Date: 7-16-96	Time: 12:25	Case #:
Last Name, First Name, Middle Initial: LAZENBY MARCIA M	Date of Birth: 12-17-55		Social Security #: 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
Address:			

I, Marcia Lazenby, hereby state that ______________________, has identified himself / herself to me as a Special Investigator / Police Officer for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under penalty of perjury, 18 Pa.C.S.§ 4904. I have not been subjected to any coercion, unlawful influence or unlawful inducement. I have not been promised any favors or been given any compensation.

My Dealings with Marty Miller - Plumbing instructor and inmates at this facility is due to my job as Employment (Inmate) office at this facility.

Between the months of early Feb 1995 thru the summer, incidents of inmates requesting to speak to me with concerns of their treatment by their work supervisor (Marty Miller). Inmates told me that Mr Miller showed favortism of inmates on their crew. The daily threaten of receiving misconducts and often would say "you know he's being investigated or has been and no one does anything about him.

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

____

____

Marcia Lazenby
(Signature of person making statement)

5 A 460

continued

Inmate Jolanda White # OC-3674, came to my office complaing about Mr Millers treatment of her. This was in approximately June or July of 1995 Inmate White was nervous and had just sit down, when, Mr Miller entered, very upset, a stood next to White, with his finger pointing at her face and said. " You tell the truth because I know the truth." At this time, White was highly visibily upset and asked to leave. Mr Miller was red face and upset and said he was tired of this and left the area.

Mr Miller would sometime send an inmate to my office with her concerns and sometimes it was thru request. On occasion Mr Miller would come in my office and ask what an inmate wanted to talk about or what she said about him.

I further state that I have read and understand this entire statement or it has been read and explained to I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

Marcia Langley
(Signature of person making statement)

6

A 461

STATEMENT

continued

From the beginning when Mr Miller was hired; he had a jolly attitude and would come to my office area to turn in reports, payroll etc. Marty had a habit of touching my shoulder or upper back when talking. I asked him not to do this as it was a bad habit and some people don't like it and dealing with female inmates it's a bad habit. After that he'd catch himself before putting his hand on my shoulder and laugh. An unusual incident happend in late August 1995 when I exited my office started down the hall and Marty Miller passed me; as he passed his hand "(palm side) up against my breast." I was shocked and looked back; but Mr Miller

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialed all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES: ____

____

____

Marcia Sharpley
(Signature of person making statement)

7

A 462

STATEMENT
continued

Kept walking out the door. I was headed toward Mr Bob Allen's office the replay of passing and having a palm touch my breast kept bothering me; because it was a large hallway and for a palm not a shoulder or back of hand. Anyway it bothered me so I told Mr Allen; but said not to confront him because he never looked back and I felt kind of silly.

In general Mr Miller showed the jolliness of his nature by reaching around inmates shoulder and giving a hug by squeezing them to his side.

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialed all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES: ____

____

____

Marcia Lauries [signature]
(Signature of person making statement)

8

A 463

STATEMENT

SCI Cambridge [illegible] 10:44

Location: Date: Time: Case #:

Jones Veronica D 7-5-71 [illegible]

Last Name, First Name, Middle Initial: Date of Birth: Social Security #:

451 Fullerton Avenue Cambridge Springs 16403

Address:

I, Veronica Danielle Jones, hereby state that Ronald Ray Lazenby, has identified himself/herself to me as a Correctional Officer IV for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under penalty of perjury, 18 Pa. C.S. 4904. I have not been subjected to any coercion, unlawful influence or unlawful inducement. I have not been promised any favors or been given any compensation.

On 6/95 I Veronica Jones remember the first day work on Mr. Mark[?] Millers plumbing crew and I remember him taking his hands and placing them onto my back and caressing it up and down softly. I also recall him caressing [illegible] the same way. He also showed me his wallet which was black and old. He would pass out his fire bills to all the girls on the crew and when it was my turn he would ask me what was he going to get for it? I asked him to not disrespect me in that way again and he then laughed. I recall on another occasion when he told me that he would love to buy some "black pussy" He also told ~~[illegible]~~ that I was his girlfriend. When McQuen we would be doing a project he would rub up against me in a funny way that I didn't like.

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialed all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

Veronica Jones

CAT [illegible]

Veronica Jones
(Signature of person making statement)

10

A 464

JONES VERONICA 11-10-96.
OB 3626

M. MILLERS CREW JUNE 95 til SEP 95
RUB HER ON HER BACK AND MADE A REMARK
ABOUT BEING HER GIRL FRIEND IN FRONT OF
A PERSON AND AGAIN LATER ON TOWARD HER.

SAID THING "WHAT DO I GOT FOR THIS" MEANING
the FIREBALLS He passed out Daily. GOT
MAD AT HER.

SAW HIM RUB other persons back. OPENS HIS
WALLET to SHOW OFF the MONEY. (BLACK bi - FOLD
TYPE. OLD LOOKING.

SEE STATEMENT

11

Location: SCI CAMBRIDGE SPGS 4/9/96 9:44 AM

Last Name, First Name, Middle Initial: STREFF, ANNIE | Date of Birth: 9/21/46 | Social Security #:

Address: ~~[illegible]~~ 008562

I, ANNIE STREFF, hereby state that MICHAEL WOLANIN, has identified himself / herself to me as a Special Investigator / Police Officer for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under penalty of perjury, 18 Pa.C.S.§ 4904. I have not been subjected to any coercion, unlawful influence or unlawful inducement. I have not been promised any favors or been given any compensation.

I WORKED ON MARTY MILLER'S CREW. I WORKED WITH ROBIN PHILLIPS. HE SENT ME FOR TOOLS FREQUENTLY THAT HE SAID HE FORGOT. I FEEL, NOW HE WANTED TO BE ALONE WITH ROBIN. THIS HAPPENED NUMEROUS TIMES WHILE WE WERE WORKING TOGETHER. I OBSERVED HE WOULD MASSAGE ROBIN'S SHOULDERS. HE ALSO MASSAGED MY SHOULDERS A FEW TIMES. I ASKED OTHER CREW MEMBERS IF HE TOUCHED THEM. THEY SAID HE TRIED TO TOUCH THEM AND THEY TOLD HIM ~~KNOW~~ NO NOT TO DO THAT ANYMORE AND HE DIDN'T TOUCH THEM AGAIN. MARTY MILLER USED ~~AS~~ TO SHOW HIS PICTURES OF HIS FAMILY. HE HAS TWO DAUGHTERS AGES 17 - 19 AND ONE SON.

I further state that I have read and understand this entire statement or it has been read and explained to I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

[signature]

(Signature of person making statement) Annie Streff

12

A 466

008526 ANNIE STREFF 0930

Worked almost, liked him. R. Phillips. Team up
together. Mr Miller forgot tool. Alot. Touched
Her (Rubbing Her) Joked around. Told her same
story. believed Robin's story, afraid of
Him, Didn't know what to do. No candy
Showed pictures of Family.
OA 1441 OC 0787
B. Jackson Tried. S. Johnson Tried (Both)
Felt M. Miller was out of Line

Location: SCI Cambridge Springs | Date: 4/8/96 | Time: 12 9PM | Case #:

Last Name, First Name, Middle Initial: PEHLMAN, LENA | Date of Birth: 5/21/53 | Social Security #: 179-44-6?

Address: OC3351

I, LENA PEHLMAN, hereby state that Michael Wolanin has ide[ntified] himself / herself to me as a Special Investigator / Police Officer for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under p[enalty] of perjury, 18 Pa.C.S.§ 4904. I have not been subjected to any coercion, unlawful influence or unla[wful] inducement. I have not been promised any favors or been given any compensation.

I worked on Marty Miller's plumbing crew on two different occasions, in 1994 and 199[illegible]

During my time in the plumbing crew I observed the following:

He hugged me many times while working, a couple times he grabbed my breast, but and once tried to kiss me on the lips but I turned and he kissed my cheek.

On at least three occasions, he pulled his penis out, and said he had a hard on and wa[nted] me to feel him so he could come.

All the time he brought in candy for his plumbing crew.

For Christmas of 1994 he brought in powde[r] perfume for some of the crew. When items were spread over his desk, he would have somebody watch the door so nobody would come in. Yolanda White and Cheryl Johnson received gifts

I further state that I have read and understand this entire statement or it has been read and explained [to me]. I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

[signature]

[signature]

[signature]

(Signature of person making statement)

14 A 468

Location: SCI CAMBRIDGE SPRINGS

Last Name, First Name, Middle In.: MAYSONET ELIZABETH OB 4251

Date of Birth: 3/28/69

Social Security #:

Address:

I, ELIZABETH MAYSONET, hereby state that Michael Wolanin, has identi[fied] himself / herself to me as a Special Investigator / Police Officer for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under pena[lty] of perjury, 18 Pa.C.S.§ 4904. I have not been subjected to any coercion, unlawful influence or unlawf[ul] inducement. I have not been promised any favors or been given any compensation.

I worked on Mr. Stoops plumber crew. Before thin[gs] were change around. I would work on Mr. Miller crew when stoops did not come in. He always ga[ve] candy to all the inmates including ~~[illegible]~~ E.M. me that he [kept] in his desk.

Once when I was sitting down talking to Mr. Mille[r] in his office. He told me to pull my shirt open. So he could see my chest. I heard that He had ~~[illegible]~~ E.M. brought Cigarettes and Nailpolish for an inmate. I have observed Mr. Miller put his arm around inmates while talking to them. I had heard in the past that he felt ~~[illegible]~~ E.M. other inmates., And that he tou[ched] to much.

I further state that I have read and understand this entire statement or it has been read and explained t[o me]. I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

____

____

Elizabeth Maysonet
(Signature of person making statement)

Page 1 of 1

15

S C[illegible]

Last Name, First Name, Middle Init	Date of Birth:	Social Security #:
JACKSON BARBARA	9/26/54	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

Address: OA1441

I, BARBARA JACKSON, hereby state that MICHAEL WOLANIN, has identified himself / herself to me as a Special Investigator / Police Officer for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under penalty of perjury, 18 Pa.C.S.§ 4904. I have not been subjected to any coercion, unlawful influence or unlawful inducement. I have not been promised any favors or been given any compensation.

I STARTED WORKING FOR MARTY MILLER ON 4-95. [illegible] TWO WEEKS LATER, AFTER I STARTED WHILE PAINTING OUTER ONE BOILER ROOM, I WAS ON THE LADDER I WAS APPROACHED BY MILLER WHEN NO ONE ELSE WAS IN THE AREA AND ASK BY HIM IF HE COULD TOUCH MY BREAST. HE ASK ME IF THEY WERE REAL AND WANTED TO TOUCH THEM. MY REPLY WAS NO! AND HE ASK ME WHY I THEN TOLD HIM THAT I DID NOT MESS WITH STAFF. HE THEN ASK ME IF I WOULD TELL ANYONE, AND TOLD HIM NOT THIS TIME BUT IF HE EVER COMES OFF TO ME THIS WAY AGAIN THAT I WOULD. I'VE SEEN MR MILLER PUT HIS ARMS AROUND AND HUG INMATES NUMEROUS TIMES. [illegible] APPEARED TO ME THAT HE RECEIVES PLEASURE FROM HUGGING CERTAIN ONES, I'VE HEARD AT TIMES THAT HE HAS BOUGHT GIFTS IN FOR INMATES SUCH AS CIG. PERFUME. GUM

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

[signature]

[signature] Barbara Jackson
(Signature of person making statement)

16

A 470

Location: SCI CAMBRIDGE SP 4/8/96 10:28AM

Last Name, First Name, Middle Initial:	Date of Birth:	Social Security #:
FERGUSON, MARSHELL	5/26/47	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

Address: OD CELL

I, MARSHELL FERGUSON, hereby state that MICHAEL WOLANIN has identifi himself / herself to me as a Special Investigator / Police Officer for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under penal of perjury, 18 Pa.C.S.§ 4904. I have not been subjected to any coercion, unlawful influence or unlawfu inducement. I have not been promised any favors or been given any compensation.

ON FRIDAY, MARCH 22, 1996 I WAS IN THE DOORWAY OF MY ROOM, NWD #37 BETWEEN 9:30AM AND 11:00AM. I WAS TALKING TO COLLEEN DIGIOVANNI WHO WAS IN THE BATHROOM. MY ROOM IS ACROSS FROM THE BATHROOM.

MARTY MILLER, A HEAVY BUILT MAN, CAME DOWN THE HALLWAY AND WENT INTO THE BATHROOM. HE BUTTED INTO THE CONVERSATION WE WERE HAVING. HE ASKED COLLEEN HOW SHE WAS FEELING. HE GOT IN BACK OF HER, STARTED TALKING SOFTLY TO HER WHILE BEHIND HER. HE MOVED CLOSER TO HER, AND TOUCHED HER IN THE HAIR AND NECK AREA LIKE HE WAS MASSAGING HER NECK AND FLIRTING WITH HER. HE WAS SO CLOSE TO HER HIS BODY WAS AGAINST AND TOUC COLLEEN'S. I SAW THIS AND WALKED BACK IN MY ROOM.

ON MONDAY MARCH 25, 1996 IN THE MORNING COLLEEN CAME TO ME AND ASKED ME TO GO INTO THE

I further state that I have read and understand this entire statement or it has been read and explained to I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

Michael Wolanin

Marshell Ferguson
(Signature of person making statement)

17

A 471

bathroom with her because Miller was bothering her and she was afraid of him. I did but Miller never showed up
we left the bathroom and went in separate way.

I further state that I have read and understand this entire statement or it has been read and explained to I have initialled all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

(Signature of person making statement)

18

A 472

SCI CBS	4-3-96	0835	96-09
Location:	Date:	Time:	Case #:
SKRZYPCZAK RENATE L.		05/25/56	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
Last Name, First Name, Middle Initial:		Date of Birth:	Social Security #:

Address:

I, RENATE SKRZYPCZAK, hereby state that RONALD R. LAZENBY, has identified himself/herself to me as a Correctional Officer IV for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under penalty of perjury, 18 Pa. C.S. 4904. I have not been subjected to any coercion, unlawful influence or unlawful inducement. I have not been promised any favors or been given any compensation.

ON 3-29-96 MARTY MILLER ENTERED MY UNIT [illegible] 3 WITH HIS WORK CREW TO FIX THE BATHROOM TUB ON 3-A. HE WAS IN & OUT OF THE BATHROOM WITH HIS CREW ALONG WITH SITTING AT MY DESK TALKING TO ME FOR APPROX 30-40 MINUTES. HE LEFT WITH HIS CREW FOR LUNCH & RETURNED AFTER LUNCH. I DO REMEMBER AT ONE POINT MS PHILLIPS WAS STANDING WITH HER BACK TO THE WALL FACING THE DOOR. MR MILLER CAME FROM THE DAYROOM & STARTED TELLING ME WHAT A GREAT WORKER MS. PHILLIPS WAS TOUCHING HER SHOULDER (JUST LIKE A PAT) AT THIS POINT HE WAS STANDING INFRONT OF ME. I WAS SITTING AT MY DESK HE WAS FACING MS PHILLIPS WITH APPROX 3 FEET BETWEEN THEM AFTER PRAISING HER HE TURNED LEFT TOWARDS THE DAYROOM [illegible] TOWARDS IT BRUSHING UP AGAINST MS. PHILLIPS, BUT CONTINUING [illegible] WHILE OTHERS [illegible] TO THE BATHROOM WITH PART OF THE CREW. FOLLOWING [illegible] THEN [illegible] THE [illegible] IN THE 3-A DAYROOM [illegible] MS PHILLIPS [illegible] [illegible] THAT SHOWER, BECAUSE MS PHILLIPS [illegible] MONDAY 3-25-96 TO [illegible] IT [illegible] MILLER SAID HE WOULD BE BACK ON [illegible] IT [illegible] TOGETHER SO IT COULD BE USED. [initials]

[initials]

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialed all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

[signature]

[signature]

[signature]
(Signature of person making statement)

19

A 473

STATEMENT

continued

[illegible]
[illegible]
UNIT [illegible] AT [illegible] THE [illegible]
BACK INTO THE UNIT AT [illegible] MR MILLER [illegible] THE
UNIT AFTER [illegible] THE SHOWER I HAD [illegible]
& [illegible] LATER THAT DAY [illegible] AFTER [illegible]
[illegible] TO
[illegible]. I ASKED HER IF SHE WAS [illegible] ME THAT SHE WAS
[illegible] HER NIGHTMARES WOULD START UP AGAIN & SHE [illegible]
NOT WANT THIS TO HAPPEN. I HAD NO IDEA WHAT SHE WAS TALKING ABOUT
SO I ASKED HER WHY SHE WOULD START TO HAVE NIGHTMARES. AT THIS
[illegible] SHE STATED "[illegible] MILLER WAS ALONE IN THE DAYROOM WITH HER &
[illegible] HER TO [illegible] HER PANTS & SHOW HIM HER STUFF" SHE STATED THAT
THIS WAS NOT THE FIRST TIME HE HAD DONE THIS [illegible]
[illegible] ROOM, [illegible] THAT HE HAD ALSO TOUCHED HER BREASTS. AT THIS
POINT I CALLED [illegible] BACK TOLD HIM THE SITUATION & SENT HER TO SEE
[illegible]

I further state that I have read and understand this entire statement or it has been reac and explained to me. I have initialed all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

[signature] ____________________ [signature] ____________________
(Signature of person making statement)

[signature] ____________________

20 A 474

STATEMENT

Location:	Date:	Time:	Case #:
Operations	3-25-96	1345	

Last Name, First Name, Middle Initial:	Date of Birth:	Social Security #:
OC5287 DiGiovanni, Colleen F.	2-24-64	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

Address:
SCI CRS

I, Colleen DiGiovanni, hereby state that Lt. Roger C. Beck Sr., has identified himself/herself to me as a Correctional Officer 3 for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under penalty of perjury, 18 Pa. C.S. 4904. I have not been subjected to any coercion, unlawful influence or unlawful inducement. I have not been promised any favors or been given any compensation.

3-22-96 I was approached by Mr. Marty Miller
he was doing plumbing work in my unit NWD.
He asked me how I liked my kitchen job I said it
was great I was then in my room #36 sitting
watching my TV & drinking coffee he kept hangin
out at my door asking me question when I was leaving
I really didn't give him a correct answer I sa
any day now. Then I went to the ladies room
& he started talking to me again & ~~[illegible]~~ intentionally te
my breast with his hand then he grabbed me
Said I looked like I needed a hug. I was fr
even more upset but, I was trying to kee
my head then, I went & got dressed t
go to work & he still kept hanging outside my
door & was trying to talk to me as I wa
getting dressed. He was making comments li

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialed all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

Lt. [signature]

Lt. R C Beck Sr. [signature]

Colleen DiGiovanni [signature]
(Signature of person making statement)

21

A 475

STATEMENT

continued

Oh, I didn't know you were alone but, he knew I was alone & he said he would of came in to see if everything was intact in order. At that poin didn't say anything. I then went t the bath-room to put my hair net & I was upset & shocked & scared. I didn't report it right away, beca I was scared & I had to think of w to do.

3-25-96 It was about 9:00 AM maybe later MR. Marty Miller came on uni NWD3 again told me to smile asked me if I was gone to work I said yes he: now remember when your getting rea dressed let me know & I'll come in & see that everything is in order. I just looked I got so upset I left th room then, I knew I had to go to grou so I went back to my scarf & there fire drill in G & I looked out window to se

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialed all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

Lt. Scott

Colleen DiGiovanni
(Signature of person making statement)

Sgt R C Berg Sr

A 476

22

STATEMENT
continued

I WAS scared to say anthing on the 22nd to anyone I didn't feel comfortable talking to anyone so, I saw MR. Mike Miller & told him what happened & what should I do & he referred me to LT. Beck. And I came & WAS able to talk to him.

I further state that I have read and understand this entire statement or it has been read and explained to me. I have initialed all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

Lt. Scott

Sgt RC Baef Sr

Colleen Figiovanni
(Signature of person making statement)

23

A 477

STATEMENT

Location:	Date:	Time:	Case #:
OPERATIONS	3-25-96	1445	

Last Name, First Name, Middle Initial:	Date of Birth:	Social Security #:
CC1674 Phillips, Robin G	6-22-61	[illegible]

Address:
SCICBS

I, Robin Phillips, hereby state that Lt. Ronald C Bock Sr has identified himself/herself to me as a Correctional Officer 3 for the Pennsylvania Department of Corrections. I do hereby voluntarily and of my own free will make the following statement, under penalty of perjury, 18 Pa. C.S. 4904. I have not been subjected to any coercion, unlawful influence or unlawful inducement. I have not beer promised any favors or been given any compensation.

On 3-25-96 assign on Marty Miller Plumbing crew we was working on a tub in N 3A. He was [illegible] a [illegible] and I move away from him. It was around 9:00 10:00. Then about 2:15 in dietary in inmate we was w[illegible] on a sink in the bathroom and he was fondling my bu[illegible] One time in later we was working in a [illegible], an[illegible] pull his Penis out and wanted me to touch it. and I sa[illegible] to him. Then he wanted me to show him what I go[illegible] [illegible] him no and I didn't want to. all it is doing is bri[illegible] back bad memories. I was afraid to say anything until I went to Mr. Young then he sent me to Mike Miller. a[illegible] didn't know who to tall to about this.

I further state that I have read and understand this entire statement or it has been reac and explained to me. I have initialed all pages, corrections and signed this statement. It is true and correct as written.

WITNESSES:

Lt. R. C. Bock Sr. [signature]

Robin G Phillips [signature]
(Signature of person making statement)

A 478

24

MIRANDA RIGHTS WAIVER

MY NAME IS Robin C Beck Sr ~~RONALD R. LAZENBY~~ OF SCI-CAMBRIDGE SPRINGS

I WISH TO ADVISE YOU THAT YOU HAVE AN ABSOLUTE RIGHT TO REMAIN SILENT; THAT ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW; THAT YOU HAVE A RIGHT TO TALK TO AN ATTORNEY BEFORE AND HAVE AN ATTORNEY PRESENT WITH YOU DURING QUESTIONING; THAT IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, ONE WILL BE APPOINTED TO REPRESENT YOU WITHOUT CHARGE BEFORE ANY QUESTIONING IF YOU SO DESIRE; AND IF YOU DECIDE TO ANSWER ANY QUESTIONS, YOU MAY STOP ANY TIME YOU WISH.

1. DO YOU UNDERSTAND THESE RIGHTS I HAVE EXPLAINED TO YOU? yes

2. WITH THESE RIGHTS IN MIND, DO YOU WISH TO TALK?

yes [signature]

MIRANDA RIGHTS WAIVER

MY NAME IS KEITH R. BARTLETT OF SCI-CAMBRIDGE SPRINGS

I WISH TO ADVISE YOU THAT YOU HAVE AN ABSOLUTE RIGHT TO REMAIN SILENT; THAT ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW; THAT YOU HAVE A RIGHT TO TALK TO AN ATTORNEY BEFORE AND HAVE AN ATTORNEY PRESENT WITH YOU DURING QUESTIONING; THAT IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, ONE WILL BE APPOINTED TO REPRESENT YOU WITHOUT CHARGE BEFORE ANY QUESTIONING IF YOU SO DESIRE; AND IF YOU DECIDE TO ANSWER ANY QUESTIONS, YOU MAY STOP ANY TIME YOU WISH.

1. DO YOU UNDERSTAND THESE RIGHTS I HAVE EXPLAINED TO YOU?

2. WITH THESE RIGHTS IN MIND, DO YOU NOW WISH TO TALK TO US?

Orlando White 0C3674 12-30-94

Keith R. Bartlett CAPT 12-30-94

[illegible] - Co.II 12/30/94

26

MIRANDA RIGHTS WAIVER

MY NAME IS RONALD R. LAZENBY OF SCI-CAMBRIDGE SPRIN

I WISH TO ADVISE YOU THAT YOU HAVE AN ABSOLUTE RIGHT TO REMAI SILENT; THAT ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YO A COURT OF LAW; THAT YOU HAVE A RIGHT TO TALK TO AN ATTORNEY BEFORE AND HAVE AN ATTORNEY PRESENT WITH YOU DURING QUESTIONING; THAT IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, O WILL BE APPOINTED TO REPRESENT YOU WITHOUT CHARGE BEFORE AN QUESTIONING IF YOU SO DESIRE; AND IF YOU DECIDE TO ANSWER ANY QUESTIONS, YOU MAY STOP ANY TIME YOU WISH.

1. DO YOU UNDERSTAND THESE RIGHTS I HAVE EXPLAINED TO YOU?

2. WITH THESE RIGHTS IN MIND, DO YOU WISH TO TALK?

Martin L Miller

EXHIBIT
PENGAD-Bayonne, N.J
83
A 481

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CRAWFORD

NOTICE OF CONTINUANCE

Mag. Dist. No.: 30-3-03

DJ Name: Hon. LINCOLN S. ZILHAVER

Address: 182 VENANGO AVENUE
CAMBRIDGE SPRINGS, PA 16403

Telephone: (814) 398-4601

COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT: NAME and ADDRESS
MILLER, MARTIN
71 EAST HIGH ST
UNION CITY, PA 16438

WITNESS FOR COMMONWEALTH :

RONALD R. LAZENBY
451 FULLERTON AVE.
CAMBRIDGE SPRINGS, PA 16403-1238

Docket No.: CR-0000113-96
Date Filed: 7/25/96
OTN: E 581108-3

18 §3126 §§A1 (5 COUNTS) INDECENT ASSAULT
(Charge)

18 §5301 §§1 (4 COUNTS) OFFICIAL OPPRESSION
(Charge)

Please note that the hearing in the above captioned case, which was scheduled to occur on: 8/06/96

has been continued to:

Date: 8/29/96	Place: DISTRICT COURT 30-3-03 182 VENANGO AVENUE CAMBRIDGE SPRINGS, PA 16403
Time: 9:30 AM	

If you have any questions, please contact this office immediately.

To appear as witness:

LAZENBY, RONALD R

Continuance requested by: DISTRICT JUSTICE SCHEDULE CONFLICT

If you are disabled and require assistance, please contact the Magisterial District office at the address above.

7-31-96 Date _______________, District Justice

My commission expires first Monday of January, 2002 .

SEAL

PENGAD-Bayonne, N.J.
GP EXHIBIT
84

A 482

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CRAWFORD

NOTICE OF CONTINUANCE

COMMONWEALTH OF PENNSYLVANIA

Mag. Dist. No.: 30-3-03

DJ Name: Hon. LINCOLN S. ZILHAVER

Address: 182 VENANGO AVENUE
CAMBRIDGE SPRINGS, PA 16403

Telephone: (814) 398-4601

DEFENDANT: NAME and ADDRESS

MILLER, MARTIN
71 EAST HIGH ST
UNION CITY, PA 16438

AFFIANT :

MICHAEL P. WOLANIN
55 UTLEY DRIVE
P.O. BOX 598
CAMP HILL, PA 17001-0598

Docket No.:	CR-0000113-96
Date Filed:	7/25/96
OTN:	E 581108-3

18 §3126 §§A1 (5 COUNTS) INDECENT ASSAULT
(Charge)

18 §5301 §§1 (4 COUNTS) OFFICIAL OPPRESSION
(Charge)

Please note that the hearing in the above captioned case, which was scheduled to occur on: 8/06/96

has been continued to:

Date: 8/29/96	Place: DISTRICT COURT 30-3-03 182 VENANGO AVENUE CAMBRIDGE SPRINGS, PA 16403
Time: 9:30 AM	

If you have any questions, please contact this office immediately.

To appear as witness:

LAZENBY, RONALD R

Continuance requested by: DISTRICT JUSTICE SCHEDULE CONFLICT

If you are disabled and require assistance, please contact the Magisterial District office at the addres

7.31.96 Date ______________________, District Justice

My commission expires first Monday of January, 2002 .

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CRAWFORD

CRIMINAL COMPLAINT

Magisterial District Number: 30-3-03

District Justice Name: Hon LINCOLN S. ZILHAVER

Address: 182 VENANGO AVENUE
CAMBRIDGE SPRINGS, PA 16403

Telephone: (814) 398-4601

Docket No.:

Date Filed:

OTN:

COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT: NAME and ADDRESS

Martin L. Miller
71 East High Street
Union City, PA 16438

Defendant's Race/Ethnicity	Defendant's Sex	Defendant's D.O.B.	Defendant's Social Security Number	Defendant's S.O.
[X] White ☐ Asian ☐ Black ☐ Hispanic ☐ Native American ☐ Unknown	☐ Female [X] Male	6/13/50	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	

Defendant's A.K.A.	Defendant's Vehicle Information: Plate Number	State	Registration Sticker (MM/YY)	Defendant's Driver's License Number	State

Complaint/Incident Number	Complaint/Incident Numbers if other Participants	UCR/NIBRS Code
96-F-035		

District Attorney's Office ☐ Approved ☐ Disapproved because: ______

(The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. Pa.R.Cr.P. 107.)

______ (Name of Attorney for Commonwealth - Please Print or Type) ______ (Signature of Attorney for Commonwealth) ______ Date

I, Michael Wolanin, Investigator Office of Professional Responsibility
(Name of Affiant - Please Print or Type) (Officer Badge Number/I.D.)

of the Pennsylvania Department of Corrections, P.O. Box 598, Camp Hill, PA 17001-0598
(Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number) (Originating Agency Case Number)

do hereby state: (check the appropriate box)

1. [X] I accuse the above named defendant who lives at the address set forth above
   ☐ I accuse the defendant whose name is unknown to me but who is described as ______

   ☐ I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe

with violating the penal laws of the Commonwealth of Pennsylvania at State Correctional Institution at Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403
(Place-Political Subdivision)

in Crawford County on or about 9/1/94 thru 3/25/96

Participants were: (if there were participants, place their names here, repeating the name of above defendant)
Martin L. Miller

2. The acts committed by the accused were:
(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

See Supplemental pages 1 thru 6

3

CRIMINAL COMPLAI

Defendant's Name:	Martin Miller
Docket Number:	

Indecent Assault: (M-2): A person who had indecent contact with the complainant or causes the complainant to have indecent contact with the person is guilty of indecent assault if the person doe so without the complainants consent, to wit: On or about March 22, 1996, Correctional Plumbing Trades Instructor Martin L. Miller did have indecent contact with State Correctional Institution Cambridge Springs inmate Colleen Digiovanni by touching her breast.

Official Oppression: (M-2): A person acting or purporting to act in an official capacity or taki advantage of such actual or purported capacity commits a misdemeanor of the second degree. knowing that his conduct is illegal, he subjects another to arrest, detention, search, seizure mistreatme dispossession, assessment, lien or other infringements of personal or property right, to wit: On or abo March 22, 1996. Corrections Trades Instructor Martin L. Miller did mistreat and take advantage Colleen Digiovanni, an inmate at the State Correctional Institution at Cambridge Springs by touching h breast.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

	(Section)	(Subsection)	of the	(PA Statute)	(counts)
1.	3126	(a-1)	of the	Cr.Code of Pa.	1
2.	5301	(1)	of the	Cr.Code of Pa.	1
3.			of the		
4.			of the		

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I h made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

_______________________________, 19 ___ _______________________________
(Signature of Affiant)

AND NOW, on this date _______________________________, 19 ___. I certify that the complaint has been prope completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

4

A 485

SEAL

Defendant's Name:	Martin L. Miller
Docket Number:	

POLICE
CRIMINAL COMPLAI

Indecent Assault: (M-2): A person who had indecent contact with the complainant or causes the complainant to have indecent contact with the person is guilty of indecent assault if the person does so without the complainants consent, to wit: On or between November 9, 1995 thru February 1, 19 Corrections Plumbing Trades Instructor Martin L. Miller did have indecent contact with State Correctio Institution Cambridge Springs employee Jacqueline Cerne by touching her buttocks with his hand a fingers.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

	(Section)	(Subsection)		(PA Statute)	(counts)
1	3126	(a-1)	of the	Cr. Code of Pa.	1
2			of the		
3.			of the		
4			of the		

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charge made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be complete and sworn to before the issuing authority.)

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

_______________________, 19___ _______________________ 5
(Signature of Affiant)

AND NOW, on this date _______________________, 19 ___, I certify that the complaint has been p completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

(Continuation of) Supplemental page

POLICE CRIMINAL COMPLAI

Defendant's Name:	Martin L. Miller
Docket Number:	

Indecent Assault: (M-2): A person who had indecent contact with the complainant or causes complainant to have indecent contact with the person is guilty of indecent assault if the person does without the complainants consent, to wit: On or between July 13, 1994 thru January 22. 19 Corrections Plumbing Trades Instructor Martin L. Miller did have indecent contact with State Correctic Institution Cambridge Springs inmate Lena Pehlman by grabbing her breasts and buttocks.

Indecent Exposure: (M-2): A person commits indecent exposure if that person exposes his or genitals in any public place or in any place where there are present other persons under circumstan in which he or she knows or should know that this conduct is likely to offend, affront, or alarm, to w On or between July 13, 1994 thru January 22, 1995, Corrections Plumbing Trade Instructor Martir Miller did on numerous occasions expose his penis to State Correctional Institution Cambridge Spri inmate Lena Pehlman.

Official Oppression: (M-2): A person acting or purporting to act in an official capacity or tak advantage of such actual or purported capacity commits a misdemeanor of the second degree knowing that his conduct is illegal, he subjects another to arrest, detention, search, seizure mistreatm dispossession, assessment, lien or other infringements of personal or property right, to wit: or between July 13, 1994 thru January 22, 1995, Corrections Trades Instructor Martin L. Miller mistreat and take advantage of Lena Pehlman an inmate at the State Correctional Institution Cambri Springs by touching her breasts and buttocks.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

	(Section)	(Subsection)		(PA Statute)	(counts)
1.	3126	(a-1)	of the	Cr.Code of Pa.	1
2.	3127	(a)	of the	Cr.Code of Pa.	1
3.	5301	(1)	of the	Cr. Code of Pa.	1
4.			of the		

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be complete and sworn to before the issuing authority.)

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

6

_______________, 19___ _______________ (Signature of Affiant)

AND NOW, on this date _______________, 19___, I certify that the complaint has been pr completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

A 487

SEAL

POLICE CRIMINAL COMPLA[INT]

Defendant's Name:	Martin . Miller
Docket Number:	

Indecent Assault: (M-2): A person who has indecent contact with t[he] complainant or caused the complainant to have indecent contact with t[he] person is guilty of indecent assault if the person does so without t[he] complainants consent, to wit: On or between January 9, 1996 thru April [9,] 1996, Correctional Plumbing Trades Instructor, Martin L. Miller did ha[ve] indecent contact with State Correctional Institution Cambridge Springs inma[te] Robin Phillips by fondling her breasts and touching her genital area.

Indecent Exposure: (M-2): A person commits indecent exposure if that pers[on] exposes his or her genitals in any public place or in any place where the[re] are present other persons under circumstances in which he or she knows [or] should know that this conduct is likely to offend, affront, or alarm, to wi[t:] On or between January 9, 1996 thru April 9, 1996, Corrections Plumbing Tra[des] Instructor, Martin L. Miller did expose his penis to State Correction[al] Institution Cambridge Springs Inmate Robin Phillips.

Official Oppression: (M-2): A person acting or purporting to act in [an] official capacity or taking advantage of such actual or purported capaci[ty] commits a misdemeanor of the second degree, if knowing that his conduct [is] illegal. He subjects another to arrest, detention, search, seiz[ure,] mistreatment, dispossession, assessment, lien or other infringements [of] personal or property right, to wit: On or between January 9, 1996 thru Apr[il] 9, 1996, Corrections Trades Instructor Martin L. Miller did mistreat a[nd] take advantage of Robin Phillips, an inmate at the State Correction[al] Institution at Cambridge Springs, by fondling her breast and touching h[er] genital area.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

	(Section)	(Subsection)		(PA Statute)	(counts)
1.	3126	(a-1)	of the	Cr.Code of Pa.	1
2.	3127	(a)	of the	Cr.Code of Pa.	1
3.	5301	(1)	of the	Cr.Code of Pa.	1
4.			of the		

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

7

____________________, 19___ ____________________
(Signature of Affiant)

AND NOW, on this date ____________________, 19___. I certify that the complaint has been pro[perly] completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

SEAL

POLICE CRIMINAL COMPLAI[NT]

Defendant's Name:	Martin L. Miller
Docket Number:	

Indecent Assault: (M-2): A person who had indecent contact with the complainant or caused : complainant to have indecent contact with the person is guilty of indecent assault if the person does without the complainants consent, to with: On or between June 20, 1995 thru February 4, 19[96] Corrections Plumbing trades Instructor Martin L. Miller did have indecent contact with State Correctio[nal] Institution Cambridge Springs inmate Sylvia Vasquez by fondling her breasts, touching her buttocks a[nd] genital area.

Involuntary Deviate Sexual Intercourse: (F-1): A person commits a felony of the first degree wh[en] he engages in deviate sexual intercourse with a complainant by forcible compulsion, to wit: On between June 20, 1995 thru February 4, 1996, Corrections Plumbing Trades Instructor Martin L. Mi[ller] did force Sylvia Vasquez, an inmate at the State Correctional Institution Cambridge Springs to perfo[rm] oral sex on him against her will.

Criminal Attempt: A person commits an attempt when, with intent to commit a specific crime, he do[es] any act which constitutes a substantial step toward the commission of that crime, to wit: On or betwe[en] June 20, 1995 thru February 4, 1996, Corrections Plumbing Trades Instructor Martin L. Miller perform a substantial step to commit involuntary deviate sexual intercourse (F-1) by attempting to fo[rce] inmate Sylvia Vaszuez to perform oral sex on him against her will.

Aggravated Indecent Assault: (F-2): A person who engages in penetration, however slight, of genitals or anus of a complainant with a part of the persons body for any purpose other than good fa[ith] medical, hygienic or law enforcement procedures commits aggravated indecent assault, if the pers[on] does so without the complainants consent, to wit: On or between June 20, 1995 thru February 4, 19[96] Corrections Plumbing Trades Instructor Martin L. Miller did insert his fingers into the vagina of S[tate] Corrections Institution Cambridge Springs inmate Sylvia Vaszuez.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

	(Section)	(Subsection)		(PA Statute)	(counts)
1.	3126	(a-1)	of the	Cr.Code of Pa.	1
2.	3123	(a-1)	of the	Cr.Code of Pa.	1
3.	901	(a)	of the	Cr.Code of Pa.	1
4.	3125	(1)	of the	Cr.Code of Pa.	1

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be complete[d] and sworn to before the issuing authority.)

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

8

______________________, 19___ ______________________________
(Signature of Affiant)

AND NOW, on this date ______________________, 19___, I certify that the complaint has been pr[operly] completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

A 489

SEAL

(Continuation of No. 2)

POLICE CRIMINAL COMPLAI

Defendant's Name:	Martin L. Miller
Docket Number:	

Criminal Attempt: A person commits an attempt when, with intent to commit a specific crime, he d any act which constitutes a substantial step toward the commission of that crime, to wit: On between June 20, 1995 thru February 4, 1996, Corrections Plumbing Trades Instructor Martin L. Mi did perform a substantial step to commit rape (F-1) by forcible compulsion by pushing inmate Syl Vasquez over a table, attempting to pull down her pants while having out his penis and telling her wanted to "fuck" her.

Official Oppression: (M-2): A person acting or purporting to act in an official capacity or tak advantage of such actual or purported capacity commits a misdemeanor of the second degree knowing that his conduct is illegal, he subjects another to arrest, detention, search, seizure mistreatme dispossession, assessment, lien or other infringements of personal or property right, to wit: or between June 20, 1995 thru February 4, 1996, Corrections Trades Instructor Martin L. Miller mistreat and take advantage of Sylvia Vaszuez, an inmate at the State Correctional Institution Cambridge Springs by touching her breast, and her genital area.

Indecent Exposure: (M-2): A person commits indecent exposure if that person exposes his or genitals in any public place or in any place where there are present other persons under circumstanc in which he or she knows or should know that this conduct is likely to offend, affront, or alarm, to On or between June 20, 1995 thru February 4, 1996, Corrections Plumbing Trades Instructor Martin Miller did expose his penis to State Correctional Institution inmate Sylvia Vasquez.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

	(Section)	(Subsection)	of the (PA Statute)	(counts)
1.	901	(a)	Cr.Code of Pa.	1
2.	5301	(1)	Cr.Code of Pa.	1
3.	3127	(a)	Cr.Code of Pa.	1
4.				

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges made. (In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

9

____________________, 19___ ____________________ (Signature of Affiant)

AND NOW, on this date ____________________, 19___, I certify that the complaint has been prc completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

A 490

SEAL

CRIMINAL COMPLAI

Defendant's Name:	Martin L. Miller
Docket Number:	

AFFIDAVIT of PROBABLE CAUSE

I, Michael Wolanin, of the Office of Professional Responsibility, Pennsylvania Department of Corrections, being d sworn according to law, make the following affidavit of probable cause in support that a criminal complaint/arr warrant be issued against the above named defendant:

On April 3, 1996, a situation was brought to my attention that was occurring at SCI-Cambridge Springs. Th situation involves a relationship, sexual in nature, with Corrections Officers and inmates. The defendant, lis above is Corrections Plumbing Trades Instructor Martin L Miller. The corrections Officer is Jacqueline Ceme. T inmates are; Colleen Digiovanni, Sylvia Vasquez, Robin Phillips, Lena Pehlman.

Inmate Colleen Digiovanni was interviewed and reported to this investigator that on or about March 22, 1996, Ma L. Miller did intentionally grab her left breast. These actions by Martin L. Miller were unwanted and intentiona

Corrections Officer Jacqueline Ceme was interviewed and reported that on or about November 9, 1995, a February 1, 1996, Martin L. Miller did rub her back and arms, and fondled her buttocks with his hand and finge These action were unwanted and intentional.

Inmate Lena Pehlman was interviewed and reported that on several occasions between July 13, 1994, to Janu 22, 1995, Martin L. Miller grabbed her breast and buttocks and exposed his penis to her. These actions by Ma L. Miller were unwanted and intentional.

Inmate Robin Phillips was interviewed and reported that on numerous occasions between the period of Januar 1996, through April 9, 1996, Martin L. Miller did intentionally fondle her breasts, grabbed her between her legs a exposed his penis to her. These actions by Martin L. Miller were unwanted.

Inmate Sylvia Vasquez was interviewed and reported that on several occasions while under the supervisio Martin L. Miller, between the period of June 20, 1995, to February 4, 1996, he felt her breasts and between her le and exposed his penis. On one occasion he did force her to perform oral sex on him, against her will. Vasquez a reported that Martin L. Miller inserted his fingers into her vagina. Vasquez also reported on another occasion Martin L. Miller pushed her down on a table, exposed his penis to her and tried to pull her pants down and sta that he "wanted to fuck her".

All these actions were unwanted and intentional.

I, ______________________________, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

10

____
(Signature of Affiant)

Sworn to me and subscribed before me this ________ day of ________________, 19____.

______________________________, District Justice

__________ Date ______________________________

SEAL A 491

Ma... of January, ________

Capt. Lazenby: 9-3-96

Earlier this year, Officer Cune stated to me that Marty Miller had made unwelcomed gestures to her. I advised Officer Cune to first speak to Marty Miller and let him know his gestures were unwanted. If this did not work, she should then contact the Personnel Office.

Brenda Slater

EXHIBIT 85

PENGAD-Bayonne, N.J.

492

12/19/96

On octuber 95, my working partners and I saw Marty Miller, coming out of fredees. He was wiping his mouth. At that time, we observed that the crotch of his pants was covered with pink lipstick.

Marty Miller had been bringing cigarettes to Silvia Vasquez every week. They were Newport Cigarettes. He usually brought cigarettes on Wednesday and Fridays to her.

Marty would pass the cigarettes to Silvia inside a pair of gloves that he kept in his office.

Silvia took the cigarette out of the gloves and put them in her pants pocket. She then put the gloves away.

English Version
by Marie Myers a
Spanish original version
by Inmate Aida Ortiz

EXHIBIT
87

PENGAD-Bayonne, N.J.

493

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

Criminal

COMMONWEALTH	:	1997 - 656
VS.	:	
MARTIN L. MILLER	:	

RECEIVED
DEC 05 1997
D.A.'S OFFICE

SENTENCE

Gordon R. Miller, P. J.

AND NOW, December 1, 1997, the Sentence of the Court is as follows:

For indecent assault, a misdemeanor of the second degree, under Count 1, the defendant shall pay the costs, shall pay a fine of $100 and shall undergo imprisonment in the Crawford County Jail for a minimum term of 3 months and a maximum term of 24 months, less one day, with credit for one day of pre-sentence incarceration.

For official oppression, a misdemeanor of the second degree, under Count 2, the defendant is placed on probation for a period of one year, to run concurrent with the sentence imposed for Count 1.

For indecent assault, a misdemeanor of the second degree, under Count 7, the defendant shall pay a fine of $100 and shall undergo imprisonment in the Crawford County Jail for a minimum term of 4 months and a maximum term of 24 months, less one day, which said sentence shall run consecutive to the sentence imposed in Count 1.

For indecent exposure, a misdemeanor of the second degree, under Count 8, the defendant shall pay a fine of $100 and is placed on probation for a period of one year, to run concurrent with the sentence imposed for indecent assault under Count 7.

For official oppression, a misdemeanor of the second degree, under Count 9, the defendant is placed on probation for a period of one year, to run concurrent with the sentence imposed for indecent assault, under Count 7.

PENGAD-Bayonne, N.J. EXHIBIT 94

For official oppression, a misdemeanor of the second degree, under Count 15, the defendant shall pay a fine of $100 and is placed on probation for a period of one year, to run concurrently with the sentence imposed for indecent assault, under Count 7.

The defendant shall be entitled to work release privileges.

The defendant shall report to the Crawford County Jail to begin serving this sentence prior to 12 o'clock Noon on Thursday, December 4, 1997.

The sentence imposed for Count 7, indecent assault, exceeded the Standard Range by one month. The reason for that is that the Court did that for ease of calculation. We intended to give the defendant jail time for indecent exposure. Another aggravating circumstance with respect to all of these crimes is that they did occur over a period of time and involved three victims.

The aggregate sentence is 7 months to 48 months, less two days.

BY THE COURT,

(Signed) Gordon R. Miller

President Judge

Attorney for the Commonwealth:
Paula C. DiGiacomo, Esquire, ADA

Attorney for the Defendant:
Donald E. Lewis, Esquire

P.

Victims

Colleen DiGiovanni march 22 1996
OC5287

Staff Jacqueline Cerné NOV 9 1995 to Feb 1 199

Lena Pehlman July 13 1994 - January 22 1996
OC 3351

Robin Phillips January 9 1996 - ~~April~~ April 9 1996
OC 4674

Sylvia Vasquez June 20 1995 - February 4 199
OC 7919

EXHIBIT
91
PENGAD-Bayonne, N.J